IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 13565 of 2004

Between:

B.Subrahmanyam, s/o Bala Nagaiah,
o/o AP State Housing Corporation Ltd., Lakkireddypally Section, Cuddapah District.

..... PETITIONER

AND

1 The State of AP rep., by its Secretary, Housing Department, Secretariat Buildings, Hyderabad.
2 The AP State Housing Corporation Limited, Urdugally, Himayathnagar, Hyderabad rep., by its M.D.,
3 The District Collector and Executive Director of State Housing Corporation Limited, Cuddapah.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus directing the respondents to promote the petitioner as Assistant Engineer on par with juniors taking into consideration of the proceedings Proc.A2(3)/10940/2000, dt.16-3-2002 of the 2nd respondent and pass such other orders.

Counsel for the Petitioner: MR.P.RAGHAVENDRA REDDY

Counsel for the Respondent No. 1 to 3: GP FOR HOUSING

The Court made the following Order:

The petitioner is working as a work inspector. He was kept in-charge to the post of Assistant Engineer with effect from 25-06-1992. He was placed under suspension on 03-12-2000 on certain allegations. On 20-3-2001 a charge memo was issued and later on 08-09-2001 a final order was passed imposing the punishment of stoppage of one increment with cumulative effect. He preferred an appeal before the 2nd respondent on 10-12-2001. The appeal was allowed by setting aside the punishment imposed on him through the proceedings dated 16-03-2002. During the operation of the punishment, number of juniors to him, were promoted as Assistant Engineers on regular basis through the proceedings dated 16-02-2002. His candidature was not considered on the ground that there was currency of punishment during that period. Subsequent to the allowing of the appeal, he made a representation to the 2nd respondent to promote him as an Assistant Engineer. He submitted the latest representation on 14-07-2004 with similar request.

The grievance of the petitioner is that the 2nd respondent did not pass any order on his representation for promotion. Therefore, he approached this court seeking a direction to the 2nd respondent to consider his representation and to promote him as an Assistant Engineer.

In the light of the circumstances explained by the petitioner, the 2nd respondent is directed to consider the latest representation of the petitioner dated 14-7-2004 and pass appropriate orders as per rules regarding his request for promotion as Assistant Engineer within a period of two months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No order as to costs.

03-08-2004

Note:

Issue CC by

One week.

(B/o)

rkk/NN

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3 The District Collector and Executive Director of State Housing Corporation Limited, Cuddapah.

4. Two CCs to GP for Housing

5. Two CD copies.